

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>MICHAEL ANTHONY MARCAVAGE,</b>	:	
<b>Plaintiff,</b>	:	
	:	<b>CIVIL ACTION NO. 04-4741</b>
<b>v.</b>	:	
	:	
<b>CITY OF PHILADELPHIA, et al.,</b>	:	
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this \_\_\_\_ day of December, 2006, upon consideration of Plaintiff's Post-Trial Motion Pursuant to Rule 50 and Rule 59 of the Federal Rules of Civil Procedure (Doc. 101) and Defendant's Response (Doc. 103), **IT IS HEREBY ORDERED** and **DECREED** that Plaintiff's Motion is **DENIED**.

**BY THE COURT:**

/s/ Petrese B. Tucker

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**Hon. Petrese B. Tucker, U.S.D.J.**